

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

OKUYAMA et al.

Atty. Ref.: 550-850; Confirmation No. 8096

Appl. No. 10/590,064

TC/A.U. 1621

Filed: October 2, 2007

Examiner: Lao

For: MODULATOR

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Monday, December 1, 2008

November 29, 2008 having been a Saturday

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

Responsive to the Official Action dated August 29, 2008, the applicants elect species A. identified by the Examiner (Muscular) and the compound of claim 14 as a single disclosed species, all for purposes of initial examination. Examination of all of the claimed subject matter is requested.

Claims 1-17, 30-32 and 38 are believed to read on the elected species.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 14 1140.

OKUYAMA et al.
Appl. No. 10/590,064
Atty. Dkt. 550-850
Response
Monday, December 1, 2008

Respectfully submitted,

NIXON & VANDERHYE P.C.

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